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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,137	12/30/2003	David S. Kelman	016295.0608 1594

CONFIRMATION NO. 3836

## FORMALITIES LETTER



\*OC000000012491567\*

Roger Fulghum  
 Baker Botts L.L.P.  
 One Shell Plaza  
 910 Louisiana Street  
 Houston, TX 77002-4995

Date Mailed: 04/30/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- |   |                    |          |           |
|---|--------------------|----------|-----------|
| • \$770 Statutory basic filing fee.         | 08/06/2004 MAHMED1 | 00000008 | 10749137  |
| • \$130 Late oath or declaration Surcharge. | 01 FC:1001         |          | 770.00 OP |
|   | 02 FC:1051         |          | 130.00 OP |

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Million

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
016295.1594

Pursuant to 37 C.F.R. 1.8, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be deposited as first-class mail with the United States Postal Service in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 30, 2004.

  
Signature

7-30-04  
Date

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David S. Kelman

Serial No.: 10/749,137

Filed: December 30, 2003

For: System and Method for the Prevention  
of Corruption of Networked Storage  
Devices During Backup Data Recovery

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Group No.: 2184

Examiner: Not Yet Assigned

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Alexandria, VA 22313-1450

### COMPLETION OF FILING REQUIREMENTS — NONPROVISIONAL APPLICATION

This replies to the Notice to File Missing Parts of Nonprovisional Application mailed April 30, 2004. A copy of the Notice is enclosed.

Enclosed is the declaration of inventor David S. Kelman for this application. The declaration submitted herewith is a copy of the declaration submitted in U.S. Application Serial No. 09/636,347. The present application is a continuation of U.S. Application Serial No. 09/636,347.

08/06/2004 MAHMED1 00000008 10749137

03 FC:1251

110.00 OP